

# Land Development Code Improvement Committee Main Committee Meeting



Louisville Metro Planning & Design Services

November 19, 2013

# LDC Improvement Committee

## AGENDA

- INTRODUCTIONS/ANNOUNCEMENTS
- MISCELLANEOUS RESEARCH SUB-COMMITTEE RECOMMENDATIONS (ITEM #21 PART 2) - 3:00 - 3:10
- PERMITTED/CONDITIONAL USE SUB-COMMITTEE RECOMMENDATIONS (ITEMS #23 & 32-34) - 3:10 - 3:30
- CONSERVATION SUBDIVISION REVISIONS - 3:30 - 3:50
- FORM DISTRICTS SUB-COMMITTEE RECOMMENDATIONS - 3:50 - 4:20
- TRANSPORTATION SUB-COMMITTEE RECOMMENDATIONS - 4:20 - 5:00
- NEXT SCHEDULED COMMITTEE MEETING  
TUESDAY, DECEMBER 3, 2013  
3:00 - 5:00 PM  
METRO DEVELOPMENT CENTER  
444 SOUTH FIFTH STREET  
FIRST FLOOR CONFERENCE ROOM

# LDC Timeline

- Complete all LDC Main Committee meetings by Dec. 31, 2013.
- Jan/Feb 2014 - Planning Commission public hearing
- Feb/Mar 2014 - Metro Council begin reviewing Round Two proposal.
  
- Remaining LDC Main Committee Meetings
  - November 19 - Miscellaneous Research (Item #21 Part 2)  
Permitted/Conditional Uses (Items #12 & 32-34)  
Conservation Subdivision Revisions  
Form Districts  
Transportation
  - December 3 - Landscaping
  - December 17 - Landscaping

# Miscellaneous Research Sub-committee Report

## Item #21 - Stream Buffer Across Property Lines & Top of Bank Determination (Deferred indefinitely to obtain feedback from MSD regarding impacts of intermittent stream changes in #2 below)

- The following changes are proposed for Section 4.8.3 Protected Waterways, which is the portion of the LDC that explains how the boundaries of required stream buffers are delineated.
  - 1) The amendment to the definition of perennial stream discussed in Item #6 of this report triggered the elimination of the reference to U.S.G.S maps in Section 4.8.3.A.1.
  - 2) Intermittent streams are now required to have a Type A buffer area (25') as required by this section.
  - 3) In Section 4.8.3.C.1, additional language has been added that allows the Planning Director, with input from Army Corps of Engineers, United States Geological Survey, Kentucky Division of Water, the Metropolitan Sewer District, the Natural Resources Conservation Service or other informed parties, to make a final determination as to where a certain stream “top of bank” is located.
  - 4) In Section 4.8.3.D, a new statement is being added to further explain that the stream buffer requirements of this section apply even when streams and their required parallel buffers cross property lines.

# Miscellaneous Research Sub-committee Report

## Item #21 - Stream Buffer Across Property Lines & Top of Bank Determination

### MSD's response to intermittent stream proposal

- Email from David Johnson, MSD, dated 11/13/13:

*"I have spoken to Steve Emly (MSD Director of Engineering ) regarding this change and what thoughts or input MSD may have.*

*Currently we regulate and enforce the Louisville Metro Floodplain Ordinance. Within that Ordinance there is a stream buffer requirement as follows:*

*For solid blue line streams, "a natural vegetation buffer strip shall be preserved at least 25 feet on each side of the stream bank as defined by the hydraulic model of the channel. In areas not already disturbed by urban, suburban, or agricultural land uses, prior to the effective date of this Ordinance, existing natural vegetation over story and under story trees shall be preserved and shrubs and ground covers shall be maintained along the stream bank sufficient to naturally maintain the integrity of the stream."*

*If we supported any changes as proposed in the Land Development Code, we would amend the Ordinance to include such changes. MSD currently has no recommendation on the proposed language in the Land Development Code since it is not regulated or enforced by MSD.*

*Hope this helps and let us know if we can be of any assistance."*



# Permitted/Conditional Use Sub-committee Report

## ITEM #23 - M-2 Two Ton Truck Weight Clarification

- Sales, repair and storage of trucks greater than two tons is limited to the M-2 zoning district. Additional clarification is suggested by the sub-committee regarding whether the two ton weight limit only applies to the truck itself, or to the truck plus its load. **Staff now recommends removing the reference to 2 tons and adding a reference to Heavy Trucks, which already is defined in the LDC.**
- The M-2 listing below shall be amended as shown.
  - **Heavy Truck (REMOVE “greater than two tons”)** and other heavy motor driven vehicles: sales, rental, repair and storage
- Current LDC Definition of Truck

**Truck.** A motor vehicle which is designed primarily for the movement of property or special purpose equipment, or a motor vehicle that is designed to carry more than ten (10) persons. Truck includes vehicles commonly called trucks, pick-ups, delivery vans, buses, motor homes and other similar vehicles. Truck is intended to cover the vehicles defined as trucks and buses by the National Highway Traffic Safety Administration. Trucks are divided into three (3) categories as follows:

(a) Light Truck Light trucks are trucks and similar vehicles with single rear axles and single rear wheels.

(b) Medium Truck Medium trucks are trucks and similar vehicles, other than truck trailers, with single rear axles and dual rear wheels. Truck tractors are in the Heavy Truck category.

(c) Heavy Truck. Heavy trucks are trucks, including truck tractors, and similar vehicles with two or more rear axles.

## United States [\[edit\]](#)

In the [United States](#), commercial truck classification is determined based on the vehicle's gross vehicle weight rating (GVWR). The classes range from 1–8.<sup>[2][3]</sup> Trucks are also classified more broadly by the [Department of Transportation's Federal Highway Administration \(FHWA\)](#), which groups classes 1–3 as *light duty*, 4–6 as *medium duty*, and 7–8 as *heavy duty*.<sup>[2][4][5][6]</sup> The [United States Environmental Protection Agency](#) has a separate system of emissions classifications for trucks.<sup>[2][7]</sup> The [United States Census Bureau](#) also assigned classifications in its now-discontinued Vehicle Inventory and Use Survey (TIUS) (formerly Truck Inventory and Use Survey (TIUS)).<sup>[8]</sup>

### Light duty [\[edit\]](#)

#### Class 1 [\[edit\]](#)

The Class 1 truck [gross vehicle weight rating \(GVWR\)](#) ranges from 0–6 000 lb (0–2 722 kg).<sup>[2]</sup> Examples of trucks in this class include the [Toyota Tacoma](#), [Dodge Dakota](#) and [GMC Canyon](#).<sup>[9][10]</sup>

#### Class 2 [\[edit\]](#)

The Class 2 truck [gross vehicle weight rating \(GVWR\)](#) ranges from 6 001–10 000 lb (2 722–4 536 kg).<sup>[2]</sup> Examples of vehicles in this class include the [Dodge Ram 1500](#) and the [Ford F-150](#). Class 2 is subdivided into Class 2a and Class 2b, with class 2a being 6 001–8 500 lb (2 722–3 856 kg), and class 2b being 8 501–10 000 lb (3 856–4 536 kg). Class 2a is commonly referred to as a light duty truck, with class 2b being the lowest heavy-duty class, also called the light heavy-duty class.<sup>[10][11][12]</sup>

#### Class 3 [\[edit\]](#)

The Class 3 truck [gross vehicle weight rating \(GVWR\)](#) ranges from 10 001–14 000 lb (4 536–6 350 kg).<sup>[2][13]</sup> Examples of vehicles in this class include the [Dodge Ram 3500](#), [Ford F-350](#), and the [GMC Sierra 3500](#) only dual rear wheel.<sup>[10]</sup> The [Hummer H1](#) is another example of a single rear wheel Class 3 truck, with a GVWR of 10 300 lb (4 672 kg).

### Medium duty [\[edit\]](#)

#### Class 4 [\[edit\]](#)

The Class 4 truck [gross vehicle weight rating \(GVWR\)](#) ranges from 14 001–16 000 lb (6 531–7 257 kg).<sup>[2][13]</sup> Examples of vehicles in this class include select [Ford F-450](#) trucks, [Dodge Ram 4500](#), and the [GMC 4500](#).<sup>[10]</sup>

#### Class 5 [\[edit\]](#)

The Class 5 truck [gross vehicle weight rating \(GVWR\)](#) ranges from 16 001–19 500 lb (7 258–8 845 kg).<sup>[2][13]</sup> Examples of trucks in this class include the [International TerraStar](#), [GMC 5500](#).<sup>[14]</sup> [Dodge Ram 5500](#), and the [Ford F-550](#)

#### Class 6 [\[edit\]](#)

The Class 6 truck [gross vehicle weight rating \(GVWR\)](#) ranges from 19 501–26 000 lb (8 846–11 793 kg).<sup>[2]</sup> Examples of trucks in this class include the [International Durastar](#), [GMC Topkick C6500](#).<sup>[15]</sup> and the [Ford F-650](#)

### Heavy duty [\[edit\]](#)

#### Class 7 [\[edit\]](#)

Vehicles in Class 7 and above require a [Class B license](#) to operate in the United States. These include [GMC C7500](#).<sup>[16]</sup> Their GVWR ranges from 26 001–33 000 lb (11 794–14 969 kg).<sup>[2]</sup>

#### Class 8 [\[edit\]](#)

The Class 8 truck [gross vehicle weight rating \(GVWR\)](#) is anything above 33 000 lb (14 969 kg).<sup>[2][17]</sup> These include most [tractor trailer](#) trucks.



Class 1 Light duty Toyota Tacoma



Class 2 2001 Ford Excursion 4x4 (GVWR: 8 600 lb)



Class 3 Ford F-350



Class 4 2008 Ford F-450 4x4 pick-up truck (GVWR: 14 500 lb)



Class 5 2005 Chevy Kodiak 4x4 (GVWR: 17 500 lb)



Class 6 2002 Ford F-650 in front (GVWR: 26 000 lb), 1989 Ford F-800 in back (GVWR: 20 200 lb)



Class 7 Peterbilt 330 dump truck.



Class 8 Kenworth dump truck.

# Permitted/Conditional Use Sub-committee Report

## ITEM #32 - Auction Sales

The Land Development Code currently allows auction sales (no distinction between indoor and outdoor) as a permitted use in the C-2, C-3, CM & EZ-1 zoning districts however there is no definition to explain exactly what auction sales means. The sub-committee reviewed this land use and proposes the following changes: **(Changes since last meeting have been worked on and agreed to by various committee members (bold/underline below)).**

1. New definition - Auction Sales, Indoor - An operation in which the public sale of goods, wares, merchandise or equipment to the highest bidder occurs entirely within a building or portion of a building. This definition excludes the sale of animals and tobacco. The goods, wares, merchandise or equipment to be auctioned may be staged, stored, or displayed outdoors in accordance with applicable Land Development Code requirements. The auction activity shall be in compliance with the Metro Noise Ordinance and no outside sound amplification of the auction shall be allowed. If the property abuts a residential property, any indoor sound amplification speakers shall be directed towards the building interior.
2. New definition - Auction Sales, Outdoor - An outdoor area or areas on a particular piece of property used for the public sale of goods, wares, merchandise, or equipment to the highest bidder. This definition excludes the sale of animals and tobacco.
3. Allow Indoor Auction Sales as a permitted use in the C-2, C-3, CM, EZ-1, M-1, M-2 & M-3 zones.
4. Allow Outdoor Auction Sales as a permitted use in the M-2 & M-3 zones and as a conditional use in the C-2, C-3, CM & M-1 zones.
5. New section for Outdoor Auction Sales conditional use permit shown below:
  - a. Outdoor Auction Sales may be allowed in the C-2, C-3, C-M and M-1 zoning districts upon the granting of a Conditional Use Permit and compliance with the listed requirements.
    - i. All buildings and structures shall be at least 30 feet from any property line.
    - ii. Parking requirements to be determined by the Planning Director upon consultation with the Director of Public Works.
    - iii. ~~The entertainment~~ All auction activity shall be in compliance with the Metro Noise Ordinance (LMCO Chapter 99).
    - iv. The Board may require additional and more restrictive requirements than those listed above based on the conditions of the specific location and the characteristics of the specific auction sales operation.



# Permitted/Conditional Use Sub-committee Report

## ITEM #33 - Flea Markets

The Land Development Code currently allows flea markets (no distinction between indoor and outdoor) as a permitted use in the C-2, C-3, CM, EZ-1, M-2, M-3 & PEC zoning districts however there is no definition to explain exactly what a flea market technically is. The sub-committee reviewed this land use and proposes the following changes:

1. New definition - Flea Market, Indoor - Involves the setting up of two or more booths, tables, platforms, racks or similar display areas for the purpose of selling, buying, or trading merchandise, goods, materials, products, or other items offered for sale entirely within an enclosed building.
2. New definition - Flea Market, Outdoor - Involves the setting up of two or more booths, tables, platforms, racks or similar display areas for the purpose of selling, buying, or trading merchandise, goods, materials, products, or other items offered for sale outdoors and not within an enclosed building.
3. Allow Indoor Flea Markets as a permitted use in the C-1, C-2, C-3, CM, EZ-1, M-1, M-2, M-3 & PEC zones.
4. Allow Outdoor Flea Markets as a permitted use in the EZ-1, M-1, M-2, M-3 & PEC zones.
5. Allow Outdoor Flea Markets as a conditional use in the C-1, C-2, C-3 & CM zones.
6. New section for Outdoor Flea Market conditional use permit shown below:
  - a. Outdoor Flea Markets may be allowed in the C-1, C-2, C-3 & C-M zoning districts upon the granting of a Conditional Use Permit and compliance with the listed requirements.
    - i. All buildings and structures shall be at least 30 feet from any property line.
    - ii. Parking requirements to be determined by the Planning Director upon consultation with the Director of Public Works.
    - iii. All activity shall be in compliance with the Metro Noise Ordinance (LMCO Chapter 99).
    - iv. The Board may require additional and more restrictive requirements than those listed above based on the conditions of the specific location and the characteristics of the specific auction sales operation.

# Permitted/Conditional Use Sub-committee Report

## ITEM #34 - Accessory Apartments Conditional Use Permit

- The changes shown in paragraph A below will allow for additional flexibility in the ownership requirements for accessory apartments.
- Section 4.2.3                      Accessory Apartments

Accessory Apartments may be allowed in the R-R, R-E, R-1, R-2, R-3, R-4, R-5 and U-N districts upon the granting of a conditional use permit and compliance with the listed requirements.

- A. The principal and accessory dwellings shall be owned by the same person(s). Occupancy of the accessory unit shall occur only while the property owner(s) resides in the principal dwelling on the premises. However, this listed requirement (A) shall not apply if at the time of the conditional use permit application and for the life of the conditional use permit (i) the primary dwelling and not more than one (1) accessory dwelling are located within the same building, and (ii) the principal dwelling and the accessory dwelling have separate entrances.
- B. B. The accessory apartment shall be no greater than 650 sq ft or 30% of the floor area of the principal residence, whichever is greater.
- C. If the accessory apartment is located in a freestanding structure, it shall not exceed the height of the principal residence. In the TNFD, permissible height shall be as allowed by the form district regulation, unless the Board approves a differing height. In all other form districts, if the freestanding structure is located within 25 feet of a property line, the height of the structure shall not exceed the average height of accessory structures on abutting parcels or 15 feet, whichever is greater, unless the Board finds that a different height limit is appropriate.
- D. Sites having accessory apartments shall provide off-street parking for the principal and accessory apartment as follows:
  - 1. Neighborhood Form District - at least three off-street spaces provided on the lot, no more than two spaces outdoors;
  - 2. Traditional Neighborhood - at least one off-street space provided on the lot; and
  - 3. Other form districts - at least two off-street spaces provided on the lot; the Board may require additional parking spaces as appropriate.

# Conservation Subdivision Revisions

- This sub-committee was charged with reviewing the existing conservation subdivision regulations and proposing improvements to the section.
- Between March 5, 2013 and June 8, 2013 the Conservation Subdivision Sub-committee met six times. The meetings averaged five participants per meeting. The 12 individuals listed in the staff report participated in this sub-committee.
- After a thorough review of the current conservation subdivision regulations the sub-committee has determined that in its current format the regulation is more conducive to the creation of suburban conservation subdivisions. This suburban conservation subdivision option serves a purpose in our community, but ultimately should be complimented by a separate option that is more focused on the preservation of significant rural characteristics of the land.
- Beyond the changes proposed to the existing conservation subdivision regulations the sub-committee recommends that the LDC Main Committee direct PDS staff and others to begin analyzing the benefits of creating a new rural conservation subdivision option within the first quarter of 2014. **ACTION ITEM #1**

# Conservation Subdivision Revisions

- Section 7.11 and Appendix 7A (attached to the staff report) contain the proposed changes to the existing conservation subdivision regulations. Changes are summarized below. **ACTION ITEM #2**
- 1. Eliminate required concept plan/sketch overlay submittal prior to site visit. Site visit should occur earlier in process. Now a pre-application submittal will be required which includes submittal of an Existing Resources and Site Analysis Plan. Then site visit with applicant and staff occurs. Then the required neighborhood meeting is conducted by the applicant. Then the preliminary plan is formally submitted to PDS.
- 2. Consolidated language regarding the conservation area management plan.
- 3. New requirement for a letter of explanation to be submitted explaining various key elements of the proposal.
- 4. Give the Planning Director the authority to require the applicant to submit a traditional (non-conservation) subdivision conceptual layout for the same property to be used as a comparison tool.
- 5. Landscape buffer areas are no longer allowed in Secondary Conservation Areas (SCA). SCA's are intended to be undeveloped, protected lands and to allow landscape buffers in them implies that newly designed landscaping and screening devices will be installed.
- 6. Property perimeter buffers may only be considered as Conservation Areas if they include existing trees that are designated as Tree Canopy Protection Areas (TCPA).
- 7. Additional language has been added to clarify that connections between conservation areas and common areas could be provided through a pathway that may be paved, mulched, natural or grassy or other similar ways to connect the areas.
- 8. Removed the requirement for the applicant to demonstrate the financial feasibility of the conservation area ownership and maintenance as well as elimination of the requirement to include cost estimates for maintenance, staffing, operations, insurance costs, etc.
- 9. Currently, off-street guest parking areas are allowed within Secondary Conservation Areas, but we now are prohibiting existing woodland areas from being removed for the purposes of constructing off-street guest parking areas.
- 10. Appendix 7A is a new document (prepared by Public Works staff) that includes guidelines for streets and sidewalks within conservation subdivisions.
- 11. Elimination of redundant statements.
- 12. Correction of grammatical errors.

# Form Districts Sub-committee Report

- This sub-committee was charged with reviewing and suggesting improvements to the contents of Chapter 5 (Form Districts) in the Land Development Code.
- Between June 6, 2012 and November 7, 2013 the Form Districts Sub-committee met 10 times. The meetings averaged eight participants per meeting. The 29 individuals listed in the staff report participated in this sub-committee.
- The following nine recommendations are the result of the efforts of this sub-committee. Some of the items involve amending content of the chapter while other items are simply intended to improve the organization of the chapter. Eight of the items involve either changes to current LDC text or insertions of new proposed text into the LDC. Each item will need to be acted on separately by the LDC Main Committee.



# Form Districts Sub-committee Report

## ITEM #1 - Section 5.1.7.E & F - Corrections/Reorganization

The following changes are proposed in this General Requirements section (noise requirements for residential adjacent to expressways):

1. Change reference in paragraph E from Chapter 8 to Chapter 1.
2. Remove the confusing title “Yard Requirement” from this section and reword part of the first sentence.
3. Paragraph F makes more sense if located within paragraph E so the contents of F are now located in E.4.

SEE REPORT FOR EXACT TEXT CHANGES

# Form Districts Sub-committee Report

## ITEM #2 - Gas Pump Setback Requirement

- The gas pump setback requirements listed in the section below have been revised as shown to read more clearly.
- Section 5.1.7 General Provisions

J. ~~When front or street side yards are required in a district in which automobile service stations are permitted, gasoline pump islands and pumps may be placed on the premises provided they are~~ shall be set back at least 15 feet from the right-of-way line, or shall comply with the setback requirement listed for the applicable form/zoning districts, whichever is greater. ~~Where no front or street side yards are required, gasoline pumps and pump islands shall be at least 10 feet from the right-of-way line.~~

# Form Districts Sub-committee Report

## ITEM #3 - Building Height Calculation

- The building height calculation method found in Section 5.1.7.K (see report for exact text changes) is often described as confusing and in need of further clarification. The following changes are proposed to Section 5.1.7.K:
  1. Addition of “existing natural” to the reference to “grade” to further clarify that the measurement should begin at the pre-development grade rather than the post-development grade.
  2. Remove the qualifier that there must be a grade change in the vicinity within the specified traditional form districts in order to use the mean elevation of the established grade of the abutting parcels when determining the starting measurement point for the subject property. This technique will now apply to all properties within the specified traditional form districts whether a grade change is present or not.

# Form Districts Sub-committee Report

## ITEM #4 - Setbacks Adjacent to Zoning Boundary Lines or Property Lines?

- The LDC is not clear on whether setback requirements should be applied to either side of a zoning boundary line when the zoning line is not located on a property line. This issue may have been interpreted inconsistently by staff in the past. Clarifying language is necessary within the LDC to eliminate any confusion on the issue. The sub-committee proposes to add the following statement to Section 5.1.10 in a new paragraph “G”.
- Section 5.1.10 General Provisions (Exceptions)

G. In cases where a zoning district boundary line is not located on a property line, there shall not be required setback areas applied along either side of the zoning district boundary line. Transition zone requirements found in Chapter 5 Part 7 may still be applicable in the vicinity of a form district boundary line whether it is located on a property line or not.

# Form Districts Sub-committee Report

## ITEM #5 - Suburban Forms - Maximum Setbacks Adjacent to Parkways

- There is a conflict related to setback requirements in situations where suburban non-residential development proposals are located directly adjacent to an LDC designated parkway. Table 5.3.2 shown below includes a maximum front setback requirement of 80' for non-residential buildings with a footprint less than 30,000 square feet. Table 10.3.1 requires a 30' setback/buffer for non-residential development on a designated parkway.
- The 30' parkway setback/buffer requirement significantly prohibits site layout options in these situations. It is virtually impossible to fit a building and a drive aisle with a row of parking spaces on each side within the 80' limitation while also observing the 30' parkway buffer.
- To increase the site design options in such situations the sub-committee suggests increasing the maximum setback from 80' to 95' for building footprints less than 30,000 square feet *only when adjacent to a parkway*. This setback will remain 80' for all other properties not located on a parkway. This extra 15' will more easily allow a building, drive aisle and two rows of parking spaces to be located beyond the 30' parkway setback requirement while still complying with the new 95' maximum building setback requirement. Changes to Table 5.3.2 shown below.

Maximum Building Footprint	Min. Front and Street Side Setback	Max. Front and Street Side Setback	Non-Res to Res Setback (No Loading)	Non-Res to Res Setback (Loading)	Max. Building Height	Max Building Height: Residential Top Floor
Up To 5,000 SF	10 ft	<b>80 ft*</b>	15 ft	25 ft	25 ft	35 ft
5,001 to 30,000 SF	10 ft	<b>80 ft*</b>	30 ft	50 ft	30 ft	40 ft
30,001 to 80,000 SF	10 ft	150 ft	50 ft	75 ft	35 ft	45 ft

**\* The maximum front and street side setback requirement for non-residential uses shall be 95 feet when the subject property is located on a parkway, as designated within Chapter 10 of this Land Development Code.**



# Form Districts Sub-committee Report

## ITEM #6 - Transition Zone Setbacks

- A concern was raised that there could potentially be a situation where the non-transition zone setback requirements are more restrictive than the transition zone dimensional requirements. The sub-committee suggests adding the language shown below that indicates that the more restrictive regulations shall be applied to the situation.
  
- **Section 5.7.1.B.2 Transition Zone Design Standards**
  - 2. Setback - The front and street side setback within a Transition Zone shall equal the setback of adjacent properties (based on the appropriate setback table listed within the applicable form district) that are within the Group A form district when sites in different form districts share a common street frontage (common street frontage refers to properties on the same side of the street). Where sites in different form districts share a common rear property line or are separated by an alley, the rear yard setback of the adjacent property within the Group A form district shall apply. If the non-transition zone setback requirements found in a separate section of this Land Development Code are more restrictive than the transition zone setback requirements as specified by this section, then the more restrictive requirements shall apply.

# Form Districts Sub-committee Report

## ITEM #7 - Form District Threshold Tables

The sub-committee recommends the following changes to the format of Chapter 5 including the threshold tables:

1. Moving the contents of Parts 4, 5, 6 & 7 into each form district section rather than each Part having its own section within Chapter 5. No content changes associated with this change.
2. The following changes will be made to all applicable threshold tables. Traditional Neighborhood Form District threshold table shown on next slide as example.
  - a) Allowing a non-residential building footprint up to 2,000 SF (previously 1,000 SF) to be a Category 2A review.
  - b) 10-16 multi-family units can now be developed as a Category 2B plan. Previously 10 or more multi-family units was required to be a Category 3 plan.

# Form Districts Sub-committee Report

## ITEM #7 - Form District Threshold Tables (cont.)

TNFD Table 5.2.3 Thresholds	Part 4 Residential Site Design	Part 5 Non-Residential and Mixed-Use Site Design	Part 6 Building Design	Part 7 Transition	Part 8 Street and Road-side Design	Part 9 Transit and Connection	Part 10 Traffic Impacts	Part 11 Open Space	Part 12 Special Design Requirement
<b>Category 2A</b>									
Accessory Structure: New or Expansion (Residential)	X								
Accessory Structure: New or Expansion (Non-Residential)		X							
Construction of <del>less</del> fewer than 10 multi-family dwelling units	X				X				
Construction of non-residential building footprint less than <del>4,000</del> <u>2,000</u> square feet		X							
Expansion to the building footprint of an existing residential dwelling (principal structure)	X								
Construction of a single family dwelling on existing lot.	X				X				
Creation of 5 or fewer single-family residential lots	X								
<b>Category 2B</b>									
Construction of 10 or more off-street parking spaces		X			X	X			
<u>Construction of 10-16 multi-family residential dwelling units</u>	X		X		X	X	X	X	
Construction of non-residential/mixed use building footprint between <del>4,000</del> <u>2,000</u> -5,000 square feet		X	X	X	X	X			
<b>Category 3</b>									
Creation of more than 5 residential lots	X				X	X	X		
Construction of <del>40</del> <u>17</u> or more multi-family residential dwelling units	X		X		X	X	X	X	
Creation of more than 5 non-residential lots		X		X	X	X	X		
Construction of non-residential/mixed use building footprint between 5,001 – 30,000 square feet		X	X	X	X	X	X		
Construction of non-residential/mixed use building footprint in excess of 30,000 sf.		X	X	X	X	X	X		X

# Form Districts Sub-committee Report

## ITEM #8 - Non-Residential Corner Lots in Traditional Form Districts

- The following change is proposed to increase flexibility in the location of non-residential buildings on corner lots in traditional form districts.
- **Section 5.5.1.A.2 Traditional Form Districts, General Design Standards, Building Location and Orientation**

2. Corner Lots. On corner lots, the building shall be constructed ~~at the~~ no more than five feet away from the right-of-way line along both of the streets. Lots with more than one street corner shall build to the corner that contains frontage on the primary street. Additional buildings on the multi-corner lot shall be built to the secondary corner. The intersection of a street with an alley shall not be considered a street corner. Exceptions: 1) if a principal building or tenant entrance is at the corner, the angular façade containing the entrance may be recessed a maximum of 15 feet from the intersection of the two right-of-ways lines; 2) if the sidewalk abutting the corner property is less than the sidewalk width required by the applicable form district, the building may set back to permit the construction of the required sidewalk.

# Form Districts Sub-committee Report

## ITEM #9 - Recommended Future Efforts

The sub-committee believes there are two subjects that warrant additional review, but recognizes the pending deadline of this LDC Round Two effort. Therefore, the sub-committee recommends that the LDC Main Committee direct PDS staff and others to initiate the following projects:

1. PDS staff should analyze the appropriateness of all form district classifications throughout Louisville Metro. Public involvement in this process shall be required. Any proposed changes to specific form district designations shall be presented to the LDC Improvement Committee or the Planning Committee of the Planning Commission for discussion prior to being forward to the Planning Commission for consideration.
2. PDS staff and any other interested parties should immediately begin analyzing the benefits of the creation of a Rural Form District. Cornerstone 2020 would be required to be amended to reflect the concept of a rural form district before the contents of such a form district could be written and inserted into the Land Development Code. Findings of this study group shall be reported to the LDC Improvement Committee or the Planning Committee of the Planning Commission for discussion prior to being forwarded to the Planning Commission for consideration.



# Transportation Sub-committee Report

- This sub-committee was charged with reviewing Chapter 5 (Form District Regulations), 6 (Mobility Standards) and 9 (Parking and Loading) of the Land Development Code (LDC)
- Objective of making suggestions to improve various regulations and polices related to transportation issues
- Met 14 times between June 13, 2012 and July 24, 2013
- 48 recommendations listed in this report are the result of the efforts of this sub-committee based upon discussion and research completed by the Committee. Research was conducted by the group into identified peer cities of Louisville and other cities with either a similar size or extensive guidelines regarding transportation issues
- Items split into sections by chapter with each of the recommendations related to the three chapters under the jurisdiction of the Transportation subcommittee

# Transportation Sub-committee Report

## ITEM #1 - Consolidation of 5.8 (Street and Roadside Design Standards), 5.9 (Transit and Connection Standards) and 5.10 (Traffic Impacts)

The existing three sections of Chapter 5 are recommended to be consolidated into one section that takes into account all forms of mobility in the Louisville Metro area. This section of Chapter 5 would address and outline when items are required and the details of installation or design would move to Chapter 6.

LDC		Chapter 5 Form District Regulations
Chapter 5	Form District Regulations	
Part 1	General Provisions	5.1-1
Part 2	Traditional Form Districts	5.2-1
5.2.1	Downtown Form District	5.2-1
5.2.2	Traditional Neighborhood Form District	5.2-5
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April 2012 LAND DEVELOPMENT CODE

# Transportation Sub-committee Report

## ITEM #2 - Form District Threshold Table Updates - Mobility Standards

- Each of the Form District threshold tables is recommended to be updated to account for the change to mobility standards
- Mobility standards threshold will be met and accounted for except in cases of accessory structure construction, new or expansion, expansion to the building footprint of an existing residential structure, construction of building footprint less than 3,000 square feet in Traditional and Suburban Workplace as well as Campus
- Construction of building footprint less than 1,000 square feet in Neighborhood, Suburban Marketplace Corridor and Regional Center
- Threshold tables would lower the square footage requirement from construction of building footprint less than 3,000 square feet to construction of building footprint less than 1,000 square feet in Neighborhood, Suburban Marketplace Corridor and Regional Center
- Mobility standards would be required to be followed at a lower threshold and give greater priority to mobility issues existing within Louisville Metro

# Transportation Sub-committee Report

## ITEM #3 - Add form district specific requirements regarding parking and loading from Chapter 5.5 to each specific form district

### ▪Chapter 5.3.4 Suburban Workplace Form District:

#### D. Dimensional Requirements

##### 5. Loading Areas

a. Loading areas shall not be located in the required front or street side setback.

### ▪Chapter 5.3.5 Campus Form District:

#### ▪ C. Dimensional Requirements

## 4. Parking Lot Location

a) Parking Lot Location - Parking shall not be located in the required front, side or rear setbacks. No more than 50% of the required parking spaces shall be located between a building and the abutting primary street or private access easement that provides the principal means of access to parcels in major subdivisions.

b) Loading docks are not permitted on primary facades.

# Transportation Sub-committee Report

## ITEM #4 - Add reference to parking location within setbacks from Chapter 9.1.5.B to each form district required

- Examples from Traditional Neighborhood and Neighborhood Form Districts:
- Traditional Neighborhood:
- c. Parking and maneuvering is not permitted within the minimum setback areas. Also, see Section 9.1.5.B.
- Neighborhood:
- *NOTE: With regard to the setback requirements listed in Tables 5.3.1 & 5.3.2, parking and maneuvering is not permitted within the minimum setback areas. Also, see Section 9.1.5.B.*



# Transportation Sub-committee Report

## ITEM #5 - Creation of 5.8.1.A, Vehicular Connectivity

- See report for proposed text changes

## ITEM #6 - Creation of 5.8.1.B, Pedestrian Connectivity

- See report for proposed text changes

# Transportation Sub-committee Report

## ITEM #7 - Creation of 5.8.1.C, Transit Connectivity

### C. Transit Connectivity

#### 1. Required Transit Facilities: New Construction or Expansion of Existing Uses

- a. Public transit facilities shall be provided on sites meeting the threshold requirements and located on public transit corridors or planned corridors as listed in Table 5.8.1C.4. The transit agency may take into consideration the professional opinion of other departments and the applicant's desired aesthetic for the development before relocating or establishing a new transit stop and the associated transit infrastructure and transit amenities.
- b. On sites required to construct or install transit infrastructure and amenities prior to transit service operation to, through, or adjacent to the site, binding elements and/or a note on the plan shall require the owner to complete the transit infrastructure and amenity improvements as required by this section at the time transit service begins operation to, through, or adjacent to the site

# Transportation Sub-committee Report

## ITEM #7 - Creation of 5.8.1.C, Transit Connectivity (continued)

Table 5.8.1.C.1 Required Transit Facilities: New Construction or Expansion of Existing Uses

Table 5.8.1.C.1 Required Transit Facilities: New Construction or Expansion of Existing Uses									
Reference to code			Non-Residential Uses <sup>1,2</sup>				Residential Uses		
			1,000 - 3,000 sq ft	3,001 - 10,000 sq ft	greater than 10,000 sq ft		25-100 units	greater than 100 units	
Infrastructure									
Sign and Stanchion	xx		R	R	R		R	R	
10' x 8' Landing/Boarding Area	xx		R	R	R		R	R	
Connection to Stop <sup>3</sup>	xx		R	R	R		R	R	
Lighting	xx		R	R	R		R	R	
Amenities <sup>4,5</sup>									
Shelter	xx		O	D	R		O	R	
Seating	xx		D	R	R		D	R	
Trash Receptacles	xx		O	R	R		D	R	
Route Information	xx		O	O	D		O	D	
System Map	xx		O	O	D		O	O	
Bicycle Racks <sup>6</sup>	xx		O	O	D		O	D	
Shopping cart storage	xx		O	O	O		O	O	
Other									
Wayfinding Signage <sup>7</sup>	xx		O	O	D		O	O	
Approved Advertising	xx		O	O	O		O	O	

R- Required; D- Recommended; O- Recommended in Certain instances (case-by-case)

1 Institutional Uses, such as Healthcare Facilities; Churches, Schools, or Universities; Stadiums, Arenas, or similar; or Stations, Terminals, or Similar, require infrastructure and amenities due to the trips generated. For such uses refer to the standards for Non-Residential Uses greater than 10,000 sq ft.

2 Non-Residential Uses includes Institutional, Commercial, and Industrial Uses.

3 Boarding Areas shall be connected to pads for transit amenities, the curb/edge of pavement, sidewalks, and to internal pedestrian circulation.

4 The Accessory Pad should be sized so to locate all amenities while retaining full accessibility (ADA) of the transit stop and adjacent pathways and land uses.

5 Transit Amenities contribute to the aesthetic of the street right-of-way and the edge of the property. Refer to Section 10: Landscaping for additional information.

6 The bike racks recommended at transit stops may be in addition to the minimum parking required in Chapter 9 Section 2. Wherever practical, locate the bike rack so that it may be used by patrons of both the development and the transit stop.

7 Wayfinding signage in large master planned projects should include signs marking the direction to transit stops.

+ Boarding Areas shall be 10 feet wide, measured parallel to the street, and 8 feet deep. The Transit Design Standards Manual provides illustrations and examples of when to increase the width and depth of boarding areas and associated concrete pads to accommodate specific site conditions and amenities.

\* Update thresholds in this chart based on final recommendations from Form District subcommittee (also an exception listed in report)

# Website Information

- [www.louisvilleky.gov](http://www.louisvilleky.gov)
- Navigate to Planning & Design Services Department page
- Select Land Development Code Icon
- Select Land Development Code Improvement Committee Link

## Land Development Code Improvement Committee

One of the recommendations from the Planning & Design Services audit is to update and simplify the Land Development Code. The Land Development Code (LDC) Improvement Committee consists of Louisville Metro Government staff, representatives from the development industry, representatives from neighborhood groups, as well as other organizations and citizen groups. The LDC Committee will meet regularly to discuss suggested changes to the LDC. These suggestions have been received from various interested parties and citizens throughout the community.

The LDC Committee has completed the first phase of the project that focused on minor technical changes that will improve the functionality of the LDC.

The Planning Commission recommended approval of Round One of text amendments to the Land Development Code on March 29, 2012. This recommendation is to legislative bodies with zoning authority in Louisville Metro.

### [Minutes from Text Amendment Review at Planning Commission March 29](#)

#### Planning Committee discussion of Round One of LDC Text Amendments

##### [Minutes from the February 9, 2012 Planning Committee Meeting](#)

(The section of the minutes from the February 9 Planning Committee meeting that cover Round One discussion are highlighted in yellow and begin on page 4.)

#### Updated Committee Comment List [June 1, 2012](#)

#### Proposed Text Amendments [Proposed LDC Text Amendment List DRAFT](#)

<u><a href="#">Meeting Date</a></u>	<u><a href="#">Agenda</a></u>	<u><a href="#">Meeting Summary</a></u>
<u><a href="#">Round Two Meetings:</a></u>		
May 22, 2012	<u><a href="#">agenda</a></u>	<u><a href="#">Round Two Kick-Off Meeting Presentation</a></u> <u><a href="#">summary</a></u>
<u><a href="#">Round One Meetings:</a></u>		
January 17, 2012	<u><a href="#">agenda</a></u>	<u><a href="#">summary</a></u>
December 20, 2011	<u><a href="#">agenda</a></u>	<u><a href="#">summary</a></u>
December 6, 2011	<u><a href="#">agenda</a></u>	<u><a href="#">summary</a></u>
November 22, 2011	<u><a href="#">agenda</a></u>	<u><a href="#">summary</a></u>
November 8, 2011	<u><a href="#">agenda</a></u>	<u><a href="#">summary</a></u>
October 25, 2011	<u><a href="#">agenda</a></u>	<u><a href="#">summary</a></u>
October 11, 2011	<u><a href="#">agenda</a></u>	<u><a href="#">summary</a></u>
September 27, 2011	<u><a href="#">agenda</a></u>	<u><a href="#">summary</a></u>

## Subcommittees

Subcommittees of the Land Development Code Improvement Committee have been formed to study particular sections and issues in the code. These subcommittees and meeting dates are listed below. Additional information about the work of each subcommittee will be posted as it becomes available.

All meetings will occur in the Metro Development Center, 444 S. Fifth Street.

**Permitted/Conditional Use Listings Review** - June 14 - 3:00 - 4:30 pm - 6th floor conference room

The following meetings will be conducted in the **first floor conference room**:

**Form Districts** - June 26 - 3:00 to 4:30 pm

**Infill Development Standards** - June 26, July 10, and July 24 - 9:00 to 10:30 am

**Landscaping/Tree Canopy Requirements** - June 25, July 9, and July 23 - 3:00 to 4:30 pm

**Development Review Process** - Monday, June 11<sup>th</sup> - 2:00 to 3:30 pm

**Fair & Affordable Housing** - Tuesday, June 12<sup>th</sup> - 9:00 to 10:30 am

**Major/Minor Subdivisions** - Tuesday, June 12<sup>th</sup> - 2:00 to 3:30 pm

**Transportation/Mobility/Parking** - Wednesday, June 13<sup>th</sup> - 10:00 to 11:30 am

**Miscellaneous Research** - Wednesday, June 13<sup>th</sup> - 2:00 to 3:30 pm